

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BLUEFIELD DIVISION

JESUS SANABRIA,
Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

)
)
)
)
)
)
)
)
)
)

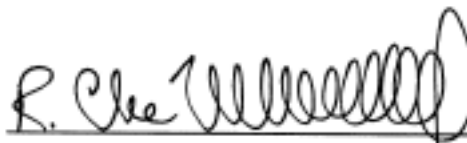
CIVIL ACTION NO. 1:08-00255

MEMORANDUM OPINION AND ORDER

The Defendant, Michael J. Astrue, Commissioner of the Social Security Administration, by counsel, Fred B. Westfall, Jr., Assistant United States Attorney for the Southern District of West Virginia, has moved the Court to remand this case to the Commissioner pursuant to the provisions of sentence four of 42 U.S.C. § 405(g) for “further consideration of whether Plaintiff could perform his past relevant work or, in the alternative, other substantial gainful work existing in significant numbers in the national economy.” (Document No. 14 at ¶ 2.) Both parties have consented to disposition by the United States Magistrate Judge. (Document Nos. 7 and 8.) Accordingly, there being good cause for the Defendant’s Motion to Remand and there being no objection, it is hereby **ORDERED** that the Defendant’s Motion to Remand (Document No. 14.) is **GRANTED**. This case is **REMANDED** to the Commissioner of Social Security for further proceedings before an Administrative Law Judge as specified by the Commissioner in his Motion to Remand pursuant to the provisions of sentence four of 42 U.S.C. § 405(g).

The Clerk is directed to send a copy of this Memorandum Opinion to counsel of record.

ENTER: September 18, 2008.



R. Clarke VanDervort
United States Magistrate Judge